

SPECIAL COUNCIL MEETING

August 10, 2011

Elkins Common Council met in regular session in the council chamber of city hall at 4:00 p.m. Wednesday, August 10, 2011. Present were; Acting Mayor Philip J. Graziani, city clerk; Councilpersons: R. N. Beckwith, V. T. Broughton, N. E. Bross-Fregonara, M. D. Cuonzo, T. Z. Hensil, C. L. Metheny, D. G. Satterfield, M. D. Scott and R. A. Woolwine; L. D. Daniels-Smith, city treasurer; H. R. White, Jr., police chief; T. W. Meader, fire chief; and G. S. Roberts, city attorney. Mayor Duke Talbott, Councilman J. S. Bibey and R. P. Pingley, operations manager, were absent.

NEW BUSINESS

Cm Woolwine, seconded by Cm Broughton, **MOVED THAT ORDINANCE 123, ADJUSTING THE RATE ASSESSED PER SQUARE FOOT OF BUILDINGS FOR FIRE PROTECTION SERVICES, BE BROUGHT FORTH, READ BY TITLE ONLY AND PASSED ON FIRST READING.** The motion carried. The second reading was scheduled for September 1, 2011, subsequent to publication of a Class I legal ad notification.

Cm Woolwine, seconded by Cw Cuonzo, **MOVED CITY COUNCIL APPROVE OF DEEDING CITY OF ELKINS' INTEREST IN THE PROPERTY OF THE ELKINS-RANDOLPH COUNTY REGIONAL AIRPORT TO THE REGIONAL AIRPORT AUTHORITY;** however, subsequent to a wide-ranging discussion, Cm Woolwine, seconded by Cm Satterfield, **MOVED TO AMEND THE MAIN MOTION BY SUBSTITUTING THE ORIGINAL MAIN MOTION LANGUAGE WITH THE WORDS "COUNCIL INSTRUCTS THE CITY ATTORNEY TO PREPARE A DEED FOR ITS CONSIDERATION THAT WOULD TRANSFER THE CITY'S UNDIVIDED ONE-HALF INTEREST IN BOTH REAL AND PERSONAL AIRPORT PROPERTY TO THE ELKINS-RANDOLPH COUNTY REGIONAL AIRPORT AUTHORITY.** The motion carried. The considerable discussion that preceded the vote on the amended main motion revolved around the disposition of the assets if the airport were to cease operations. For example, could the Authority then sell the property? If so, what would happen to the proceeds of the sale? A majority of the council members seemed to agree that any deed of conveyance should make provision for several requirements to be met by the Authority members prior to the sale of any real property: (1) Notification by the Authority of its intent to sell any real property must be served in writing and by certified mail to both City of Elkins and the Randolph County Commission; (2) any sale of real property, after written notification has been made in good form to the City and County Commission, must be authorized by unanimous vote of all duly appointed Authority members; (3) In the event the Authority ceases to operate a viable airport operation, ownership of all airport property, both real and personal, would revert to City of Elkins and the Randolph County Commission.

The meeting adjourned at 4:25 p.m.